

Michigan Department of Corrections

Parole Board Notice of Decision

Page 1 of 1
CFJ-279

Name: PETTEY RYAN JAY	Number: B246691	Location: YGR	Mailed: 06/27/2006
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The Michigan Parole Board, having attained jurisdiction over the sentence of the above prisoner, having considered the facts and circumstances including the prisoner's mental and social attitude, and having exercised the discretion granted by the legislature, says as follows:

☒ The Parole Board lacks reasonable assurance that the prisoner will not become a menace to society or to the public safety and denial of parole is warranted with action as follows:

DECISION DATE: 10/04/2001	ACTION: Continue	TERM OF DENIAL: 12 Months	RECONSIDERATION DATE: 09/25/2002
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REASONS IN SUPPORT OF PAROLE BOARD ACTION:

Summary:

RECOMMENDATIONS FOR CORRECTIVE ACTION WHICH MAY FACILITATE RELEASE:

- Demonstrate responsible behavior by earning positive work reports
- Demonstrate responsible behavior by earning positive reports in any programs you may be involved in
- Demonstrate responsible behavior by avoiding situations which result in misconduct citations
- Demonstrate responsible behavior by earning good block or staff reports of conduct in the housing unit
- Enter into or continually involve yourself in substance abuse programming
- Provide additional demonstration of positive prison behavior during the period of the continuance

COMPLETION DOES NOT GUARANTEE A POSITIVE ACTION

Miguel Berrios

Miguel Berrios 10/1/2001

Stephen H. Marschke

Stephen Marschke 10/4/2001

Ex B

Ryan Jay Pettey
246691

My name is Anne Pettey. I am Ryan Peter's mother am writing this letter to be considered in Ryan's appeal.

The Michigan Correction Department in the summer of 2001 paroled Ryan Pettey. Just as he was to be released from the halfway house, He was visited by FBI Agent Birdsong. Agent Birdsong was investigating a murder that occurred in Northern Michigan. Agent Birdsong told Manager Glen Gomery that a grand jury witness had testified that Ryan was the person who committed the murder. Agent Birdsong also stated that he did not believe Ryan was involved in the murder, but did sell drugs with the defendant for a period of time prior to the murder. (Case report CFJ104) This information was left in Ryan's file.

The FBI wanted Ryan's testimony because they were asking for the death penalty and needed the drug connection, as Michigan does not have the death penalty. Ryan Pettey went before the grand jury and was truthful. He told us he wanted a "clean slate". He denied any knowledge of the murder, which occurred he was incarcerated and also that he did not know the victim. The grand jury witness that testified Ryan committed the murder was sentenced to 5 years for perjury.

Ryan was given a 5-year sentence for selling drugs. The sentence was to begin upon his parole from Michigan. Since he was paroled with no problem in the summer of 2001, both his attorney and the Federal Prosecutors felt he would be paroled to federal custody right away. Ryan had not committed any new crimes and was cooperative with the federal investigation. His parole hearing from 2001 evaluated him as a low risk to society. (I have enclosed that report) I expressed concern at this time to both Ryan's attorney and the Federal Prosecutor that a television station Up North had done news special on the murder and had named Ryan Pettey as the shooter. I had called the television station and demanded that they retract their story. Our attorney also wrote them a letter. When I talked to the television station manager, he refused to retract the story. He said his information came straight from the Traverse City FBI office. The Federal prosecutor assured me that this wasn't true.

When Ryan came up for the next parole hearing, he was denied as a risk to society.

At the next hearing the same thing happened.

After that parole hearing, I requested a copy of his prisoner file. That is when we found out that his file contained 5 different references to him being a major suspect in several murders. All of these statements were attributed to Agent Birdsong and his office in Traverse City, Michigan. (Case summary report 9.24.2001) this is an example.

I called the Federal Prosecutors' office. They wrote a letter to the parole board stating that there was no information Ryan Pettey knew about or was involved in the homicide. Timothy VerHey, Assistant United States Attorney, wrote the letter. Mr. VerHey also wrote another letter in which he stated that Ryan had been a cooperative witness and that there was no investigation of several murders. He asked that Ryan be paroled into federal custody.

In August of 2003, Ryan was again denied parole as a risk to society. His next parole hearing was scheduled for 18 months from that date.

In December of 2003, I called the Bureau of Prisons in Lansing Michigan. I talked to an Administrative Assistant to the head of the Department of Corrections. She was our last hope. She pulled Ryan's prison file and found all the references to him being involved in "several murders". She took this information to her supervisor, who in turn called Federal Prosecutor Timothy VerHey. Mr. VerHey told them this was incorrect information and that everyone "misunderstood" Agent Birdsong. At that time the incorrect information was removed from Ryan's file. After the references to "several murders" were removed, Ryan was given a new parole hearing in February of 2004 and paroled.

It took two and a half years to find out what was wrong and to get this out of his file. I am eternally grateful to this administrative assistant. I wish I could remember her name and that information is not given under the Freedom of Information Act.

Ryan certainly has not been a "Poster Child" for good behavior over the years. However he was straightened up, had a good job, and was parenting his child.

How one murder investigation became "several murders" is beyond me. However these statements were part of Ryan's file and in each case attributed to Agent Birdsong and the Traverse City FBI office.

The defendants who were involved in the murder (with the exception of the shooters) are all out of prison. We are asking for the two and one-half years Ryan lost because of information that was not true.

I have enclosed as much documentation as I have. I have requested another copy of Ryan's prison file. Of course, it won't have those "several murders" references in it. It will contain the other letter sent by Timothy VerHey. If you have any questions, please let me know. I would be glad to testify under oath to any information I have provided in this letter.

Anne Petty
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6-19-06
Arlene Zepeda
ARLENE L. ZEPEDA
NOTARY PUBLIC - MICHIGAN
KENT COUNTY
MY COMMISSION EXPIRES JUNE 10, 2007